§ 285.802 What must I do if I discover a potential archaeological resource while conducting my approved activities?

(a) If you, your subcontractors, or any agent acting on your behalf discovers a potential archaeological resource while conducting construction activities, or any other activity related to your project, you must:

1. Immediately halt all seafloor-disturbing activities within the area of the discovery;
2. Notify MMS of the discovery within 72 hours; and
3. Keep the location of the discovery confidential and not take any action that may adversely affect the archaeological resource until we have made an evaluation and instructed you on how to proceed.

(b) We may require you to conduct additional investigations to determine if the resource is eligible for listing in the National Register of Historic Places under 36 CFR 60.4. We will do this if:

1. The site has been impacted by your project activities; or

2. You must comply with all measures required by the NOAA or FWS, including measures to affect the least practicable impact on such species and its habitat and to ensure no unmitigable adverse impact on the availability of the species for subsistence use.

(f) Submit to us:

1. Measures designed to avoid or minimize adverse effects and any potential incidental take of the endangered or threatened species or marine mammals;
2. Measures designed to avoid likely adverse modification or destruction of designated critical habitat of such endangered or threatened species; and
3. Your agreement to perform any relevant terms and conditions of the Incidental Take Statement that may result from the ESA consultation.
4. Your agreement to perform any relevant mitigation measures under an MMPA incidental take authorization.

30 CFR Ch. II (7–1–11 Edition)
§ 285.810 What must I include in my Safety Management System?

You must submit a description of the Safety Management System you will use with your COP (provided under § 285.627(d)) and, when required by this part, your SAP (as provided in § 285.614(b)) or GAP (as provided in § 285.651). You must describe:

(a) How you will ensure the safety of personnel or anyone on or near your facilities;
(b) Remote monitoring, control, and shut down capabilities;
(c) Emergency response procedures;
(d) Fire suppression equipment, if needed;
(e) How and when you will test your Safety Management System; and
(f) How you will ensure personnel who operate your facilities are properly trained.

§ 285.811 When must I follow my Safety Management System?

Your Safety Management System must be fully functional when you begin activities described in your approved COP, SAP, or GAP. You must conduct all activities described in your approved COP, SAP, or GAP in accordance with the Safety Management System you described, as required by § 285.810.

§ 285.812 [Reserved]

MAINTENANCE AND SHUTDOWNS

§ 285.813 When do I have to report removing equipment from service?

(a) The removal of any equipment from service may result in MMS applying remedies, as provided in this part, when such equipment is necessary for implementing your approved plan. Such remedies may include an order from MMS requiring you to replace or remove such equipment or facilities.

(b)(1) You must report within 24 hours when equipment necessary for implementing your approved plan is removed from service for more than 12 hours. If you provide an oral notification, you must submit a written confirmation of this notice within 3 business days, as required by § 285.105(c);

(2) You do not have to report removing equipment necessary for implementing your plan if the removal is part of planned maintenance or repair activities; and

(3) You must notify MMS when you return the equipment to service.